

1
2 **BEFORE THE FEDERAL ELECTION COMMISSION**

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4)
5 In the Matter of)

6) MUR: 5217
7)
8)
9)

10 Friends of Jane Harman and)
11 Mike Gordon, as treasurer)
12)

13 **CONCILIATION AGREEMENT**

14 This matter was initiated by the Federal Election Commission ("Commission"), pursuant
15 to information ascertained in the normal course of carrying out its supervisory responsibilities.

16 The Commission found reason to believe that Friends of Jane Harman and Mike Gordon, as
17 treasurer, violated 2 U.S.C. § 434(a)(6)(A).

18 NOW, THEREFORE, the Commission and the Respondents, having participated in
19 informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree
20 as follows:

21 I. The Commission has jurisdiction over the Respondents and the subject matter of
22 this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
23 § 437g(a)(4)(A)(i).

24 II. Respondents have had a reasonable opportunity to demonstrate that no action
25 should be taken in this matter.

26 III. Respondents enter voluntarily into this agreement with the Commission.

27 IV. The pertinent facts in this matter are as follows:

28 1. Friends of Jane Harman is a political committee within the meaning of
29 2 U.S.C. § 431(4), and is the authorized principal campaign committee for Jane Harman's 2000
30 Congressional campaign.
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1 2. Mike Gordon is the treasurer of the Friends of Jane Harman Committee.

2 3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires
3 principal campaign committees of candidates for Federal office to notify in writing either the
4 Secretary of the Senate or the Commission, as appropriate, and the Secretary of State of the
5 appropriate state, of each contribution totaling \$1,000 or more, received by any authorized
6 committee of the candidate after the 20th day but more than 48 hours before any election.
7 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after
8 the receipt of the contribution and to include the name of the candidate and office sought, the
9 date of receipt, the amount of the contribution, and the identification of the contributor. Id. The
10 notification of these contributions shall be in addition to all other reporting requirements.
11 2 U.S.C. § 434(a)(6)(B).

12 4. Among the contributions that Respondents received between February 17,
13 2000 and March 4, 2000 were eighty-three contributions of \$1,000 or more, totaling \$108,500.
14 Respondents did not submit 48-Hour Notices for these contributions.

15 5. On September 19, 2000, Respondents filed an amended April
16 Quarterly Report disclosing the eighty-three omitted 48-Hour Notices for the public record.

17 6. Respondents contend that upon learning that staff assigned to track and meet
18 these reporting requirements had failed to do so, it directed changes in the staff and the retention
19 of new personnel to assure that these errors would be avoided in the future.

20 V. The Respondents failed to report campaign contributions of \$1,000 or more
21 received after the 20th day, but more than 48 hours before the primary election, within 48 hours
22 of receipt of the contributions, in violation of 2 U.S.C. § 434(a)(6)(A).

23 VI. Respondents will pay a civil penalty to the Federal Election Commission in the
24 amount of Twelve Thousand Dollars (\$12,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

25 VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.
26 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance
27 with this agreement. If the Commission believes that this agreement or any requirement thereof

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has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton
General Counsel

BY:


Rhonda J. Vossingh

Associate General Counsel

3/15/02
Date

FOR THE RESPONDENTS:


Robert F. Bauer
Counsel for Friends of Jane Harman and
Mike Gordon, as Treasurer

1/28/02
Date

22-04-405-3561